



PATENT APPLICATION
Docket No: 13447.3.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

T. Wade Fallin et al.

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Arlington, Virginia 22313-1450, on the 3rd day of November 2003.

- Transmittal for Information Disclosure Statement (3 pages)
 - Information Disclosure Statement (2 pages)
 - Form PTO-1449 listing 42 references (4 pages)
 - A copy of Form PTO-1449 and PTO-892 from parent application (5 pages)
 - Postcard

Respectfully submitted,

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† ADMITTED ONLY IN CALIFORNIA

PATENT APPLICATION
Docket No: 13447.3.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

T. Wade Fallin et al.)

Serial No.: 10/631,141) Art Unit

) 3731

Filed: July 31, 2003)

Confirmation No.: 2254)

For: SUTURE ANCHOR)

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- Form PTO-1449 listing 42 references submitted for consideration.
- A copy of each of the references listed on the Form PTO-1449.
- English translations of ____ () of the references listed on the Form PTO-1449 which are not in the English language.
- Copies of the following documents from the prosecution of a previous, related application:
 - Form PTO-1449; and
 - Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - Promptness Certification; or
 - Check No. _____ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - Promptness Certificate;
 - Petition for Consideration; and

Check No. in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

Petition to Withdraw from Issue; and

Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

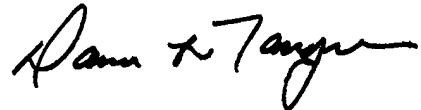
C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

- Any fee required in relation to filing of this letter or any documents transmitted therewith.
- The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- The submission fee set forth in 37 C.F.R. § 1.17(p).
- The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 3rd day of November 2003.

Respectfully submitted,

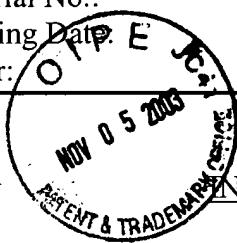


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Applicant: T. Wade Fallin et al.
 Serial No.: 10/631,141
 Filing Date: E July 31, 2003
 For: SUTURE ANCHOR

Confirmation No.: 2254
 Att'y Docket No.: 13447.3.1
 Group: 3731



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
1	3,716,058	02/13/1973	Tanner
2	4,669,473	06/02/1987	Richards et al.
3	4,741,330	05/03/1988	Hayhurst
4	4,898,156	02/06/1990	Gatturna et al.
5	4,899,743	02/13/1990	Nicholson et al.
6	4,946,468	08/07/1990	Li
7	5,002,550	03/26/1991	Li
8	5,041,129	08/20/1991	Hayhurst et al.
9	5,046,513	09/10/1991	Gatturna et al.
10	5,192,303	03/09/1993	Gatturna et al.
11	5,203,787	04/20/1993	Noblitt et al.
12	5,207,679	05/04/1993	Li
13	5,358,511	10/25/1994	Gatturna et al.
14	5,403,348	04/04/1995	Bonutti
15	5,464,425	11/07/1995	Skiba
16	5,527,343	06/18/1996	Bonutti

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
17	5,540,718	07/30/1996	Bartlett
18	5,549,630	08/27/1996	Bonutti
19	5,554,171	09/10/1996	Gatturna et al.
20	5,584,862	12/17/1996	Bonutti
21	5,626,612	05/06/1997	Bartlett
22	5,683,418	11/04/1997	Luscombe et al.
23	5,718,717	02/17/1998	Bonutti
24	5,733,306	03/31/1998	Bonutti
25	5,782,862	07/21/1998	Bonutti
26	5,782,863	07/21/1998	Bartlett
27	5,845,645	12/08/1998	Bonutti
28	5,871,503	02/16/1999	Bartlett
29	5,879,372	03/09/1999	Bartlett
30	5,885,294	03/1999	Pedlick et al.
31	5,897,574	04/27/1999	Bonutti
32	5,941,900	08/24/1999	Bonutti
33	5,948,002	09/07/1999	Bonutti
34	5,961,538	10/05/1999	Pedlick et al.
35	5,980,558	11/1999	Wiley

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<u>Examiner</u>	<u>Document</u>	<u>Issue</u>	<u>Name</u>
<u>Initial*</u>	<u>Number</u>	<u>Date</u>	
36	5,980,559	11/09/1999	Bonutti
37	6,033,430	03/07/2000	Bonutti
38	6,077,292	06/20/2000	Bonutti
39	6,146,407	11/14/2000	Krebs
40	6,146,408	11/14/2000	Bartlett
41	6,165,203	12/26/2000	Krebs
42	6,270,518	10/05/2001	Pedlick et al.

Foreign Patent Documents

<u>Examiner</u>	<u>Document</u>	<u>Publication</u>	<u>Country or</u>
<u>Initial*</u>	<u>Number</u>	<u>Date</u>	<u>Patent Office</u>

Other Documents

(including author, title, pertinent pages, etc.)

Examiner
Initial*

Date Considered:

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 For: SUTURE ANCHOR

Confirmation No.: 2254
 Att'y Docket No.: 13447.3.1
 Group: 3731



References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

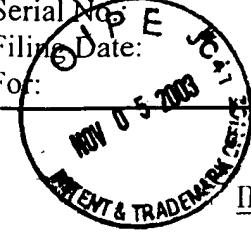
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Applicant: T. Wade Fallin et al.
 Serial No.: 09/990,033
 Filing Date: November 21, 2001
 For: SUTURE ANCHOR



Sheet 1 of 4
 Confirmation No.: 2766
 Att'y Docket No.: 13447.3
 Group: 3739

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner Initial*	Document Number	Issue Date	Name
GP 1	3,716,058	02/13/1973	Tanner
GP 2	4,669,473	06/02/1987	Richards et al.
GP 3	4,741,330	05/03/1988	Hayhurst
GP 4	4,898,156	02/06/1990	Gatturna et al.
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GP 11	5,203,787	04/20/1993	Noblitt et al.
GP 12	5,207,679	05/04/1993	Li
GP 13	5,358,511	10/25/1994	Gatturna et al.
GP 14	5,403,348	04/04/1995	Bonutti
GP 15	5,464,425	11/07/1995	Skiba
GP 16	5,527,343	06/18/1996	Bonutti

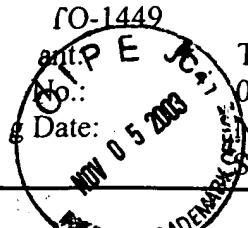
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T. Wade Fallin et al.
09/990,033
November 21, 2001
SUTURE ANCHOR



Sheet 2 of 4
Confirmation No.: 2766
Att'y Docket No.: 13447.3
Group: 3739

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
GP 17	5,540,718	07/30/1996	Bartlett
GP 18	5,549,630.	08/27/1996	Bonutti
GP 19	5,554,171	09/10/1996	Gatturna et al.
GP 20	5,584,862	12/17/1996	Bonutti
GP 21	5,626,612	05/06/1997	Bartlett
GP 22	5,683,418	11/04/1997	Luscombe et al.
GP 23	5,718,717	02/17/1998	Bonutti
GP 24	5,733,306	03/31/1998	Bonutti
GP 25	5,782,862	07/21/1998	Bonutti
GP 26	5,782,863	07/21/1998	Bartlett
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GP 31	5,941,900	08/24/1999	Bonutti
GP 32	5,948,002	09/07/1999	Bonutti
GP 33	5,961,538	10/05/1999	Pedlick et al.
GP 34	5,980,559	11/09/1999	Bonutti
GP 35	6,033,430	03/07/2000	Bonutti

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Date:
T. Wade Fallin et al.
09/990,033
November 21, 2001
SUTURE ANCHOR



Sheet 3 of 4
Confirmation No.: 2766
Att'y Docket No.: 13447.3
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<u>aminer Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
QP 36	6,077,292	06/20/2000	Bonutti
QP 37	6,146,407	11/14/2000	Krebs
qp 38	6,146,408	11/14/2000	Bartlett
qp 39	6,165,203	12/26/2000	Krebs
qp 40	6,270,518	10/05/2001	Pedlick et al.

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<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>

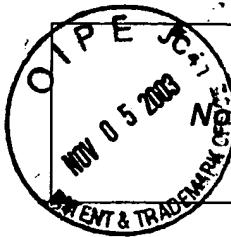
Other Documents
(including author, title, pertinent pages, etc.)Examiner
Initial*

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Date Considered:

1/30/03

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Notice of References Cited

Application/Control No.
09/990,033

Applicant(s)/Patent Under
Reexamination
FALLIN ET AL.

Examiner
Gwen Phanijphand

Art Unit
3731

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,980,558	11-1999	Wiley, Roy C.	606/232
	B	US-5,885,294	03-1999	Pedlick et al.	606/80
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.